

EXHIBIT E

Sean Eskovitz (SBN 241877)
WILKINSON WALSH + ESKOVITZ LLP
11726 San Vicente Blvd., Ste. 600
Los Angeles, CA 90049
Telephone: (424) 316-4000
Facsimile: (202) 847-4005
seskovitz@wilkinsonwalsh.com

Beth A. Wilkinson (*pro hac vice*)
Alexandra M. Walsh (*pro hac vice*)
Brian L. Stekloff (*pro hac vice*)
Rakesh N. Kilaru (*pro hac vice*)
WILKINSON WALSH + ESKOVITZ LLP
2001 M Street NW, 10th Floor
Washington, DC 20036
Telephone: (202) 847-4000
Facsimile: (202) 847-4005
bwilkinson@wilkinsonwalsh.com
awalsh@wilkinsonwalsh.com
bstekloff@wilkinsonwalsh.com
rkilaru@wilkinsonwalsh.com

Jeffrey A. Mishkin (*pro hac vice*)
Karen Hoffman Lent (*pro hac vice*)
SKADDEN ARPS SLATE MEAGHER &
FLOM LLP
Four Times Square
New York, NY 10036
Telephone: (212) 735-3000
Facsimile (212) 735-2000
jeffrey.mishkin@skadden.com
karen.lent@skadden.com
Counsel for Defendant NCAA
[Additional counsel listed on signature page]

Steve W. Berman (*pro hac vice*)
HAGENS BERMAN SOBOL SHAPIRO
LLP
1918 Eighth Avenue, Suite 3300
Seattle, WA 98101
Telephone: (206) 623-7292
Facsimile: (206) 623-0594
steve@hbsslaw.com

Bruce L. Simon (SBN 96241)
PEARSON, SIMON & WARSHAW, LLP
44 Montgomery Street, Suite 2450
San Francisco, CA 94104
Telephone: (415) 433-9000
Facsimile: (415) 433-9008
bsimon@pswlaw.com

Jeffrey L. Kessler (*pro hac vice*)
David G. Feher (*pro hac vice*)
David L. Greenspan (*pro hac vice*)
WINSTON & STRAWN LLP
200 Park Avenue
New York, NY 10166-4193
Telephone: (212) 294-6700
Facsimile: (212) 294-4700
jkessler@winston.com
dfeher@winston.com
dgreenspan@winston.com

*Class Counsel for Jenkins and Consolidated
Action Plaintiffs*

[Additional counsel listed on signature page]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

IN RE NATIONAL COLLEGIATE
ATHLETIC ASSOCIATION ATHLETIC
GRANT-IN-AID CAP ANTITRUST
LITIGATION

THIS DOCUMENT RELATES TO:
ALL ACTIONS.

Case No. 4:14-md-02541-CW
~~Case No. 14-cv-02758-CW~~

**STIPULATION AND ~~[PROPOSED]~~ ORDER
REGARDING SECOND ADDENDUM TO
STIPULATED PROTECTIVE ORDER**

Judge: Hon. Claudia Wilken

1 All parties and Network Intervenors, by and through their respective counsel, hereby agree and
 2 stipulate to the below as it relates to the Second Addendum to the “Stipulated Protective Order
 3 Regarding Confidentiality of Documents and Materials” (the “Second Addendum”) (Dkt. 512) entered
 4 by the Court on October 12, 2016:

5 1. The Second Addendum was negotiated and signed between Plaintiffs and only five of
 6 the Conference Defendants in the Consolidated Action: (1) Atlantic Coast Conference; (2) The Big
 7 Ten Conference, Inc.; (3) The Big 12 Conference, Inc.; (4) Pac-12 Conference; and (5) Southeastern
 8 Conference. (Dkt. 508.)

9 2. On November 11, 2016, Magistrate Judge Nathaniel M. Cousins entered via minute
 10 entry (Dkt. 540) the Third Addendum to the Stipulated Protective Order (Dkt. 539) (the “Third
 11 Addendum”). The Third Addendum was signed and entered for the purpose of applying the terms of
 12 the Second Addendum to the six other Conference Defendants in the Consolidated Action and the
 13 National Collegiate Athletic Association (“NCAA”). The six other Conference Defendants in the
 14 Consolidated Action are: (1) the American Athletic Conference; (2) Conference USA; (3) the Mid-
 15 American Conference; (4) the Mountain West Conference; (5) the Sun Belt Conference; and (6) the
 16 Western Athletic Conference (collectively, the “Six Conferences”).

17 3. The Second Addendum was also signed by certain media networks that formally
 18 intervened in this litigation: (1) ESPN entities (ESPN, Inc., ESPN Enterprises, Inc., and American
 19 Broadcasting Companies, Inc.); (2) Fox entities (Fox Broadcasting Company, Fox Cable Networks,
 20 Inc., and Fox International Channels (US), Inc.); and (3) CBS Broadcasting Inc. (collectively, the
 21 “Network Intervenors”). By way of the Third Addendum, the rights and obligations of the Network
 22 Intervenors under the Second Addendum were extended to apply not just to the Network Intervenors,
 23 but to all media networks (including their various entities, affiliates and assigns) that are partners of
 24 any of the eleven Conference Defendants in this litigation or the NCAA, and which have an interest
 25 in the litigation, regardless of whether each has formally intervened in this litigation.

26 4. Absent Network Intervenor permission, the Second Addendum and Third Addendum
 27 limit the involvement of defense counsel who receive information that is designated “Network Strictly
 28 Confidential – Outside Litigation Counsel Only” (“NSC”), which is defined in Paragraph 4 of the

1 Second Addendum. Specifically, Paragraph 7(a)(2) of the Second Addendum provides:

2 [A]ny individual attorney who reviews Network Strictly Confidential –
 3 Outside Litigation Counsel Only Information of a Network Intervenor to
 4 which such attorney did not have access prior to production of such
 5 Information in this action may not, absent written permission from such
 6 Network Intervenor, participate directly or indirectly on or before March
 7 31, 2021 in negotiating any media, network, or broadcasting contract,
 8 agreement, arrangement, or understanding with such Network Intervenor,
 9 except that nothing in this Addendum shall be construed to require a
 Network Intervenor’s permission for any individual attorney’s participation
 in negotiating any agreements, arrangements, or understandings pertaining
 to discovery, motion practice, or other litigation-related matters in this
 lawsuit pertaining to Network Strictly Confidential – Outside Litigation
 Counsel Only Information of a Network Intervenor.

10 5. Trial of this matter is scheduled to begin on September 4, 2018. The parties’ pretrial
 11 filings identify as proposed exhibits and testimony for trial certain information that is designated NSC
 12 pursuant to the Second Addendum. A number of defense counsel implicated by the terms of Paragraph
 13 7(a)(2) of the Second Addendum intend to attend the trial, in whole or in part. Counsel for the Network
 14 Intervenor may also attend the trial, in whole or in part.

15 6. The parties and Network Intervenor therefore stipulate and agree that the restriction
 16 imposed by Paragraph 7(a)(2) of the Second Addendum be modified as follows for purposes of the
 17 forthcoming trial only: to the extent NSC information is inadvertently revealed at trial by any exhibit,
 18 witness, the Court, or oral presentation by counsel, defense counsel and counsel for the Network
 19 Intervenor shall not, solely as a result of such disclosure, be barred from future negotiations under
 20 Paragraph 7(a)(2) of the Second Addendum. To the extent NSC Information is permissibly used at
 21 trial, including over the objection of a Network Intervenor, and regardless of whether the information
 22 is later sealed, then defense counsel and counsel for the Network Intervenor shall not, solely as a
 23 result of such disclosure, be barred from future negotiations under Paragraph 7(a)(2) of the Second
 24 Addendum.

25 IT IS SO STIPULATED.

Dated: September 4, 2018

Respectfully submitted,

By /s/ Steve W. Berman
 Steve W. Berman (*pro hac vice*)
 Craig Spiegel (SBN122000)
 HAGENS BERMAN SOBOL SHAPIRO
 LLP
 1918 Eighth Avenue, Suite 3300
 Seattle, WA 98101
 Telephone: (206) 623-7292
 Facsimile: (206) 623-0594
steve@hbsslaw.com
craigs@hbsslaw.com

Jeff D. Friedman (SBN 173886)
 HAGENS BERMAN SOBOL SHAPIRO
 LLP
 715 Hearst Avenue, Suite 202
 Berkeley, CA 94710
 Telephone: (510) 725-3000
 Facsimile: (510) 725-3001
jefff@hbsslaw.com

By /s/ Bruce L. Simon
 Bruce L. Simon (SBN 96241)
 Benjamin E. Shiftan (SBN 265767)
 PEARSON, SIMON & WARSHAW, LLP
 44 Montgomery Street, Suite 2450
 San Francisco, CA 94104
 Telephone: (415) 433-9000
 Facsimile: (415) 433-9008
bsimon@pswlaw.com
bshiftan@pswlaw.com

*Class Counsel for Jenkins and Consolidated
 Action Plaintiffs*

By /s/ Jeffrey L. Kessler
 Jeffrey L. Kessler (*pro hac vice*)
 David G. Feher (*pro hac vice*)
 David L. Greenspan (*pro hac vice*)
 Jennifer M. Stewart (*pro hac vice*)
 Joseph A. Litman (*pro hac vice*)
 WINSTON & STRAWN LLP
 200 Park Avenue
 New York, NY 10166-4193
 Telephone: (212) 294-6700
 Facsimile: (212) 294-4700
jkessler@winston.com
dfeher@winston.com
dgreenspan@winston.com
jstewart@winston.com
jlitman@winston.com

Sean D. Meenan (SBN 260466)
 Jeanifer E. Parsigian (SBN 289001)
 WINSTON & STRAWN LLP
 101 California Street
 San Francisco, CA 94111
 Telephone: (415) 591-1000
 Facsimile: (415) 591-1400
smeenan@winston.com
jparsigian@winston.com

*Class Counsel for Jenkins and Consolidated
 Action Plaintiffs*

By /s/ Elizabeth C. Pritzker
 Elizabeth C. Pritzker (SBN 146267)
 Jonathan K. Levine (SBN 220289)
 Bethany L. Caracuzzo (SBN 190687)
 PRITZKER LEVINE LLP
 180 Grand Avenue, Suite 1390
 Oakland, California 94612
 Telephone: (415) 692-0772
 Facsimile: (415) 366-6110

Additional Class Counsel

1 By: /s/ Beth A. Wilkinson

2 Beth A. Wilkinson (*pro hac vice*)
 3 Alexandra M Walsh (*pro hac vice*)
 4 Brian L. Stekloff (*pro hac vice*)
 5 Rakesh N. Kilaru (*pro hac vice*)
 6 WILKINSON WALSH + ESKOVITZ LLP
 7 2001 M Street NW, 10th Floor
 8 Washington, DC 20036
 9 Telephone: (202) 847-4000
 10 Facsimile: (202) 847-4005
 11 *bwilkinson@wilkinsonwalsh.com*
 12 *awalsh@wilkinsonwalsh.com*
 13 *bstekloff@wilkinsonwalsh.com*
 14 *rkilaru@wilkinsonwalsh.com*

15 Sean Eskovitz (SBN 241877)
 16 WILKINSON WALSH + ESKOVITZ LLP
 17 11726 San Vicente Blvd., Suite 600
 18 Los Angeles, CA 90049
 19 Telephone: (424) 316-4000
 20 Facsimile: (202) 847-4005
 21 *seskovitz@wilkinsonwalsh.com*

22 *Attorneys for Defendant National Collegiate*
 23 *Athletic Association*

24 By: /s/ Bart H. Williams

25 Bart H. Williams (SBN 134009)
 26 Scott P. Cooper (SBN 96905)
 27 Kyle A. Casazza (SBN 254061)
 28 Jennifer L. Jones (SBN 284624)
 Shawn S. Ledingham, Jr. (SBN 275268)
 Jacquelyn N. Crawley (SBN 287798)
 PROSKAUER ROSE LLP
 2049 Century Park East, Suite 3200
 Los Angeles, CA 90067
 Telephone: (310) 557-2900
 Facsimile: (310) 557-2193
bwilliams@proskauer.com
scooper@proskauer.com
kcasazza@proskauer.com
jljones@proskauer.com
sledingham@proskauer.com
jcrawley@proskauer.com

Attorneys for Defendant
Pac-12 Conference

By: /s/ Jeffrey A. Mishkin

Jeffrey A. Mishkin (*pro hac vice*)
 Karen Hoffman Lent (*pro hac vice*)
 SKADDEN ARPS SLATE MEAGHER
 & FLOM LLP
 Four Times Square
 New York, NY 10036
 Telephone: (212) 735-3000
 Facsimile (212) 735-2000
jeffrey.mishkin@skadden.com
karen.lent@skadden.com

Raoul D. Kennedy (SBN 40892)
 SKADDEN ARPS SLATE MEAGHER
 & FLOM LLP
 525 University Avenue, Suite 1100
 Palo Alto, California 94301
 Telephone: (650) 470-4500
 Facsimile: (650) 470-4570
raoul.kennedy@skadden.com

Attorneys for Defendant National
Collegiate Athletic Association and
Western Athletic Conference

By: /s/ Britt M. Miller

Andrew S. Rosenman (SBN 253764)
 Britt M. Miller (*pro hac vice*)
 MAYER BROWN LLP
 71 South Wacker Drive
 Chicago, IL 60606
 Telephone: (312) 782-0600
 Facsimile: (312) 701-7711
arosenman@mayerbrown.com
bmiller@mayerbrown.com

Richard J. Favretto (*pro hac vice*)
 MAYER BROWN LLP
 1999 K Street, N.W.
 Washington, DC 20006
 Telephone: (202) 263-3000
 Facsimile: (202) 263-3300
rfavretto@mayerbrown.com

Attorneys for Defendant
The Big Ten Conference, Inc.

By: /s/ Leane K. Capps

Leane K. Capps (*pro hac vice*)
Caitlin J. Morgan (*pro hac vice*)
POLSINELLI PC
2950 N. Harwood Street
Suite 2100
Dallas, TX 75201
Telephone: (214) 397-0030
lcapps@polsinelli.com
cmorgan@polsinelli.com

Amy D. Fitts (*pro hac vice*)
Mit Winter (SBN 238515)
POLSINELLI PC
120 W. 12th Street
Kansas City, MO 64105
Telephone: (816) 218-1255
afitts@polsinelli.com
mwinter@polsinelli.com

Wesley D. Hurst (SBN 127564)
POLSINELLI PC
2049 Century Park East, Suite 2300
Los Angeles, CA 90067
Telephone: (310) 556-1801
whurst@polsinelli.com

*Attorneys for Defendants
The Big 12 Conference, Inc. and
Conference USA, Inc.*

By: /s/ Robert W. Fuller

Robert W. Fuller, III (*pro hac vice*)
Nathan C. Chase Jr. (SBN 247526)
Lawrence C. Moore, III (*pro hac vice*)
Pearlynn G. Houck (*pro hac vice*)
Amanda R. Pickens (*pro hac vice*)
ROBINSON BRADSHAW & HINSON
101 N. Tryon St., Suite 1900
Charlotte, NC 28246
Telephone: (704) 377-2536
Facsimile: (704) 378-4000
rfuller@rbh.com
nchase@rbh.com
lmoore@rbh.com
phouck@rbh.com
apickens@rbh.com

Mark J. Seifert (SBN 217054)
SEIFERT LAW FIRM
425 Market Street, Suite 2200
San Francisco, CA 94105
Telephone: (415) 999-0901
Facsimile: (415) 901-1123
mseifert@seifertfirm.com

*Attorneys for Defendant
Southeastern Conference*

By: /s/ D. Erik Albright
 D. Erik Albright (*pro hac vice*)
 Gregory G. Holland (*pro hac vice*)
 SMITH MOORE LEATHERWOOD
 LLP 300 North Greene Street, Suite
 1400
 Greensboro, NC 27401
 Telephone: (336) 378-5368
 Facsimile: (336) 433-7402
 erik.albright@smithmoorelaw.com
 greg.holland@smithmoorelaw.com

Jonathan P. Heyl (*pro hac vice*)
 SMITH MOORE LEATHERWOOD
 LLP 101 N. Tryon Street, Suite 1300
 Charlotte, NC 28246
 Telephone: (704) 384-2625
 Facsimile: (704) 384-2909
 jon.heyhl@smithmoorelaw.com

Charles LaGrange Coleman, III (SBN
 65496)
 HOLLAND & KNIGHT LLP
 50 California Street, Suite 2800
 San Francisco, CA 94111-4624
 Telephone: (415) 743-6900
 Facsimile: (415) 743-6910
 ccoleman@hklaw.com

*Attorneys for Defendant
 the Atlantic Coast Conference*

By: /s/ R. Todd Hunt
 R. Todd Hunt (*pro hac vice*)
 Benjamin G. Chojnacki (*pro hac vice*)
 WALTER HAVERFIELD LLP
 The Tower at Erievue
 1301 E. 9th Street, Suite 3500
 Cleveland, OH 44114-1821
 Telephone: (216) 928-2935
 Facsimile: (216) 916-2372
 rthunt@walterhav.com
 bchojnacki@walterhav.com

*Attorneys for Defendant Mid-American
 Conference*

By: /s/ Benjamin C. Block
 Benjamin C. Block (*pro hac vice*)
 COVINGTON & BURLING LLP
 One CityCenter
 850 Tenth Street, N.W.
 Washington, DC 20001-4956
 Telephone: (202) 662-5205
 Facsimile: (202) 778-5205
 bblock@cov.com

Rebecca A. Jacobs (SBN 294430)
 COVINGTON & BURLING LLP
 One Front Street
 San Francisco, CA 94111-5356
 Telephone: (415) 591-6000
 Facsimile: (415) 591-6091
 rjacobs@cov.com

*Attorneys for Defendant
 American Athletic Conference*

By: /s/ Meryl Macklin
 Meryl Macklin (SBN 115053)
 BRYAN CAVE LLP
 560 Mission Street, 25th Floor
 San Francisco, CA 94105
 Telephone: (415) 268-1981
 Facsimile: (415) 430-4381
 meryl.macklin@bryancave.com

Richard Young (*pro hac vice*)
 Brent Rychener (*pro hac vice*)
 BRYAN CAVE LLP
 90 South Cascade Avenue, Suite 1300
 Colorado Springs, CO 80903
 Telephone: (719) 473-3800
 Facsimile: (719) 633-1518
 richard.young@bryancave.com
 brent.rychener@bryancave.com

*Attorneys for Defendant Mountain West
 Conference*

By: /s/ Mark A. Cunningham
 Mark A. Cunningham (*pro hac vice*)
 JONES WALKER LLP
 201 St. Charles Avenue
 New Orleans, LA 70170-5100
 Telephone: (504) 582-8536
 Facsimile: (504) 589-8536
 mcunningham@joneswalker.com

*Attorneys for Defendant
 Sun Belt Conference*

By: /s/ Yehudah L. Buchweitz
 Christopher J. Cox (Bar No. 151650)
 Email: chris.cox@weil.com
 David R. Singh (Bar No. 300840)
 Email: david.singh@weil.com
 WEIL, GOTSHAL & MANGES LLP
 201 Redwood Shores Parkway
 Redwood Shores, Ca 94065
 Telephone: (650) 802-3000
 Facsimile: (650) 802-3100

James W. Quinn (*pro hac vice*)
 Email: james.quinn@weil.com
 Yehudah L. Buchweitz (*pro hac vice*)
 Email: yehudah.buchweitz@weil.com
 WEIL, GOTSHAL & MANGES LLP
 67 Fifth Avenue New York, NY 10153
 Telephone: (212) 310-8000
 Facsimile: (212) 310-8007

*Attorneys for intervenor CBS
 Broadcasting Inc.*

By: /s/ David R. Singer
 Richard L. Stone (Cal. Bar No. 110022)
 rstone@jenner.com
 David R. Singer (Cal. Bar No. 204699)
 dsinger@jenner.com
 Jeffrey A. Atteberry (Cal. Bar No. 266728)
 jatteberry@jenner.com
 JENNER & BLOCK LLP
 633 West 5th Street, Suite 3600
 Los Angeles, California 90071
 Telephone: (213) 239-5100
 Facsimile: (213) 239-5199

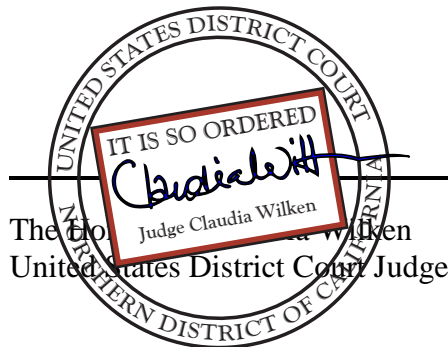
*Counsel for intervenors Fox Broadcasting
 Company, Fox Cable Networks, Inc., and
 Fox International Channels (US), Inc.*

By: /s/ David Kumagai
 Evan R. Chesler (admitted to N.D. Cal. on
 September 24, 1982)
 J. Wesley Earnhardt (*pro hac vice*)
 David Kumagai (*pro hac vice*)
 CRAVATH, SWAINE & MOORE LLP
 Worldwide Plaza
 825 Eighth Avenue New York, NY 10019-
 7475
 Telephone: (212) 474-1000
 Facsimile: (212) 474-3700
 echesler@cravath.com
 wearnhardt@cravath.com
 dkumagai@cravath.com

*Attorneys for intervenors ESPN, Inc.,
 ESPN Enterprises, Inc., and American
 Broadcasting Companies, Inc.*

SO ORDERED

Dated: September 4, 2018



ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests that concurrence in the filing of this document has been obtained from the signatories above.

/s/ Jennifer L. Jones
JENNIFER L. JONES